

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PATRICK CARBERRY

Plaintiff,

v.

Case No. 07-10892  
Hon. Sean F. Cox

TEXTRON PENSION PLAN, et al.

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**  
**OF THE MAGISTRATE JUDGE**

On December 28, 2007, Magistrate Judge Donald A. Scheer submitted a Report and Recommendation [**Doc. 25**] recommending that the Court: (1) deny Plaintiff's Motion to Reverse the Plan Administrator's Decision; and, (2) grant Defendants' Motion to Affirm Pension Plan Administrator's Decision. Because the Court did not receive objections from either party within the time frame provided for in 28 U.S.C. § 636(b)(1); Fed.R.Civ.P. 72(b); and E.D. Mich. LR 72.1(d)(3), the Court adopts the Magistrate Judge's Report and Recommendation. The Court, therefore: (1) **DENIES** Plaintiff's Motion to Reverse the Plan Administrator's Decision; (2) **GRANTS** Defendants' Motion to Affirm Pension Plan Administrator's Decision.

**IT IS SO ORDERED.**

S/Sean F. Cox  
Sean F. Cox  
United States District Judge

Dated: February 19, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 19, 2008, by electronic and/or ordinary mail.

S/Jennifer Hernandez  
Case Manager